

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 79697

Louis A Dockman II
Janice Dockman

1625 Alston Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on August 11, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-5-302, failure to repair gutters/downspouts and rotted wood on residential property known as 1625 Alston Road, 21204.

On July 20, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Robyn Clark issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued June 17, 2010 by Inspector M. Stuart Kelly for repair exterior structure (damaged gutters and downspouts), repair metal/wood surfaces (paint all exposed wood surfaces). This Citation was issued July 20, 2010.

B. Photographs in the file show that gutters and downspouts are broken and missing, and show peeling paint and bare wood on window frames and roof soffits. Photographs also show areas of missing or damaged siding on this single-family house. Respondent is required by law to maintain the exterior of the house at least in conformance with county code standards, including keeping all “[e]xposed surfaces of metal or wood in good repair, in a structurally sound condition, and protected against decay, rust, peeling, or flaking.” BCC Section 35-5-302. The gutters and downspouts must be repaired and replaced, and all wood surfaces must be repaired, scraped and painted.

C. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by October 18, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 20th day of August 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer